

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA
CASE NO.: 02-487

INQUIRY CONCERNING JUDGE SUPREME CT. CASE NO. SC03-1171
GREGORY P. HOLDER;

_____/

SECOND ORDER SCHEDULING HEARING AND PREHEARING CONFERENCE

A final evidentiary hearing before the Judicial Qualifications Commission (JQC) Hearing Panel on the Formal Charges in this matter is scheduled for 9:00 a.m. Monday, June 14, 2004. This is the second setting of this matter and the hearing will occur in a courtroom to be designated in the Hillsborough County Courthouse, Tampa, Florida. The members of the Hearing Panel are (1) Judge John P. Kuder (Chair), (2) Judge Tom Freeman, (3) attorney Howard C. Coker, (4) attorney Perry Odom, (5) lay member Dr. Leonard Haber and (6) lay member Ricardo Morales, III. All pleadings are to be filed in the Florida Supreme Court and copies of all pleadings shall be served on the Chair of this Panel and on all attorneys for the parties and all other persons on the attached list, using both above case numbers.

A telephonic prehearing conference is hereby set for June 1, 2004, at 2:30 p.m. (Central Time-1:30 p.m.). The call-in number is (850) 425-5429 at the office of attorney John Beranek who is counsel to the Hearing Panel. A court reporter will be provided by the JQC and counsel will be furnished copies of the transcript. At least 7 days before the prehearing conference (May 25, 2004), counsel shall, by fax or delivery, provide the Chair and all other counsel with a Prehearing Statement containing schedules of all of

the witnesses to be called and all of the exhibits to be introduced. The subject matter of the testimony of each witness shall be stated in the schedule. If there are objections to any exhibit or witness, a list of objections shall be filed before the June 1, 2004, conference. The schedules of witnesses and exhibits may be supplemented only in accordance with future orders of this Panel.

Before the preliminary telephonic conference of June 1, 2004, counsel shall confer concerning the scheduled evidentiary hearing and be prepared to make commitments concerning the following:

(1) Length of hearing. Counsel shall state their good faith estimates of the time required to try the case by the prosecution and the case by the respondent.

(2) Factual stipulations. Counsel are urged to stipulate to facts which are not genuinely contested and to be prepared to give written details on such factual agreements at the time of the conference.

(3) Discovery. Counsel shall complete all depositions and discovery, prior to the conference of June 1, 2004. Counsel shall disclose any agreed upon further depositions and discovery and show cause why this discovery was not completed in a timely manner. In any event, the deposition of the Respondent Judge shall be completed before the prehearing conference.

(4) Undisposed of motions and legal issues of importance. Any

undisposed of motions shall be argued at the preliminary conference and shall be delivered to opposing counsel and the Chair at least 7 days before the conference. Counsel shall further advise of the nature of any particular legal issues which are anticipated. Case determinative or constitutional legal issues shall be argued in writing in a brief not exceeding 10 pages by the party asserting the issue.

(5) Amendments to charges and defenses. If there are any proposed amendments to the charges or the defenses, they shall be filed at least one week prior to the conference unless leave is granted for a later filing.

(6) Inspection of and objection to exhibits. Counsel shall exchange all exhibits before the preliminary conference for inspection by opposing counsel. Counsel shall confer concerning their objections and if there are unresolved objections to any proposed exhibits, a schedule of those objections shall be furnished one week before the preliminary conference.

(7) Policy on Limitation of Character Witnesses. Pursuant to the Chair's prior ruling of December 18, 2003, the Judge will be limited to a total of six designated live character witnesses. In addition to these witnesses, affidavits as to character may be filed by the Judge and will be considered by the Hearing Panel. Counsel will also be called upon to consider other appropriate limitations on witnesses.

SO ORDERED this 11th day of March, 2004.

**FLORIDA JUDICIAL QUALIFICATIONS
COMMISSION**

By: /s/ JOHN P. KUDER
JUDGE JOHN P. KUDER,
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Florida Judicial Qualifications
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Copies furnished in accordance with the attached list.

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